



## MEETING OF SEPTEMBER 5, 2006

### AGENDA ITEM NO. 6A

Application I.D.: 2006-0046

Application Type: Single Family Design Review

Location: 1920 Hillman Avenue

Applicant: Bahi Oreizy

Owner: Allison and David Orenstein

APN: 044-062-120

Zoning: R-1B – Single Family Residential

General Plan Designation: RL – Low Density Residential

Environmental Determination: Categorically Exempt, Section 15301, Class 1(e)(2)(a& b)

### PROJECT DESCRIPTION

The applicant requests Single Family Design Review approval to construct a 599 square foot addition to an existing 1,295 square foot single family residence, resulting in a total of 1,894 square feet that is below the zoning district permitted 2,622 square feet for this site.

### RECOMMENDATION

Staff recommends that the Planning Commission **approve** the Single Family Design Review subject to the conditions of approval contained in the attached draft resolution<sup>1</sup>.

### ZONING/GENERAL PLAN DESIGNATION

The existing single-family residence (and proposed addition thereon) is a permitted use in the designated R-1B, Single Family Residential zoning district, and is conforming to the General Plan designation RL, Low Density Residential.

### PRIOR ACTIONS

The subject property was established as part of the Belmont Country Club Properties subdivision in 1924. The existing house was built in 1949. There have been no prior planning actions on this property.

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<sup>1</sup> Please note: This recommendation is made in advance of public testimony or Commission discussion of the project. At the public hearing, these two factors, in conjunction with the staff analysis, will be considered by the Commission in rendering a decision on the project.

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## **500 FOOT RADIUS MAP**

## **SITE CONDITIONS**

The subject property is located in a neighborhood of one and two-story single-family homes with a mixture of stucco and wood exterior finishes. The subject property is developed with a single-story house with a partial lower level in the rear and has no garage or driveway. The 6,000 square foot lot slopes down from the street and has an overall average slope of 25%.

The site includes a non-native privet tree (#1) of protected size in the front (south) yard, two protected coast live-oak trees (#2) and (#4) and one non-protected coast live-oak tree (#3) in the right side (east) yard, and a protected California buckeye tree (#5) and protected coast live-oak tree (#6) in the rear (north) yard. These trees are enumerated as part of an attached City Arborist Report prepared for the project (see attachment V). The front and side yards and upper portion of the rear yard also contain some lawn areas and planting beds with shrubs and small plants.

Site improvements include a concrete retaining wall connected to a wood retaining wall in the front yard, concrete steps and walkways in the front and side yards, wood planter structures in the front and right side yards, right side yard wood fence, exterior wood stairs to the kitchen in the right side yard, a 33 square foot storage shed in the rear yard, and a concrete patio in the rear yard. As discussed above, the site has no formal parking. However, an area parallel and adjacent to the site allows parking between the street and the front yard concrete/wood retaining wall that is situated partially within the public right-of-way.

The lower portion of the rear yard beyond the second retaining wall contains mostly natural ground cover that will remain and will not be affected by the proposed construction. More discussion follows in the Project Analysis regarding tree protection measures during construction.

## **PROJECT ANALYSIS**

The existing 1,295 single-family residence consists of the following:

### Existing Dwelling – Ground Floor (936 square feet)

This floor consists of a living/dining room, kitchen, three bedrooms, one bathroom, and stairs to the basement.

### Existing Dwelling – Basement (326 square feet)

This level includes a finished area consisting of a family room (which is considered a bedroom by definition), one bathroom, utility closet, stairs, and unfinished crawlspace that is less than 6.5' in height. No changes are proposed for this level.

### Existing – Shed (33 square feet)

The storage shed is located in the rear yard. No changes are proposed.

### Proposed Modifications – Ground Floor (remodel and 215 square foot expansion)

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- New entrance with covered porch
- Removal of one bedroom/office
- Reconfiguration of living room
- New stairway
- New fireplace in living room
- Reconfiguration of closet in one bedroom
- Remodel and 215 square foot expansion to kitchen and dining room

Proposed New Upper Floor (384 square feet addition)

- One bedroom
- One bathroom
- Walk-in closet
- Stairwell
- Exterior balcony

There will be no increase in the number of bedrooms for the dwelling (four existing, four proposed).

<b>Dwelling Floor Area Summary</b>		
<b>Square Footage</b>		<b>Existing Layout/Proposed Additions</b>
Existing Ground Floor:	936 sq. ft.	<u>Existing Ground Floor:</u> Living/dining room, kitchen, three bedrooms, one bathroom, stairwell.
Basement (no change)	326 sq. ft.	
Shed (no change)	33 sq. ft.	
New Ground Floor Expansion:	215 sq. ft.	<u>Modified Ground Floor:</u> Entry with covered porch, living room remodel, bedroom/closet remodel, removal of one bedroom, new stairway, remodel and expansion of kitchen and dining room.
New Second Floor:	384 sq. ft.	<u>Proposed Second Floor:</u> One bedroom, one bathroom, stairwell.
Total	1,894 sq. ft.	

Exterior Materials/Colors

The proposed addition and remodeled existing house would have a wood siding exterior finish for the lower level and a plaster exterior finish for the second story addition. Architectural design details include a stone veneer finish for the new chimney, balcony and deck with wood guardrails, new front entrance with covered porch, redwood trellis structure dividing the lower/upper levels of the front elevation, stone tile front patio and pavers for walkways and a proposed parking pad (see description below).

The color palette consists of earth tones of light tan for the plaster finish, pale olive green for the wood siding, reddish brown stain for all woodwork, dark brown asphalt shingle roofing, and a natural stone color for the chimney stone veneer. The building colors and materials are illustrated on the attached sample sheet (See Attachment VI).

### Landscaping and Groundwork

The subject property has no formal parking spaces or driveway, and the area adjacent to the street that is currently used for parking, and which partially encroaches onto public right-of-way, is proposed to be restored to a landscaped area by removal of the gravel and addition of new plants. The protected size privet tree (#1) in this area will be retained. It should be noted that the landscape plan was revised after incorporation of the arborist report (see Attachment V) recommendations to retain the existing concrete wall immediately adjacent to tree (#1) (except for a small section of the wall that juts into the front yard that would be removed). Staff has confirmed with the City Arborist that by retaining the existing concrete wall adjacent to tree (#1) and the removal of the section that juts into the front yard, this tree can be retained without harm and protected during construction as provided in the Conditions Approval. No additional mitigation measures are necessary for tree (#1).

The proposed landscape plan also maintains protected coast live oaks (#2), (#4) and (#6), protected buckeye tree (#5) and the smaller non-protected coast live oak (#3). Staff has included the City Arborist recommendations for tree protection during construction in the Conditions of Approval. Tree (#2) would be pruned by crown raising as recommended in the Arborist Report in order to provide sufficient clearance for the proposed new wood deck in the right (east) side yard. The existing greenscape lining the existing concrete walkway in the west side yard, the existing front lawn area, and the existing rear yard beyond the retaining walls with natural vegetation coverage would all remain.

New landscape plantings, most of which are native and drought-tolerant, include:

- 6 ten gallon size shrubs
- 16 five gallon size shrubs
- 41 one gallon size bulbs and perennials
- 4 five gallon size vines
- 30 four inch size grasses

The existing front and east side yard walkways and wood planting beds would be removed. The proposed parking pad (17 ft. width x 18 ft. depth) and new front walkway would be surfaced with concrete pavers set over a sand base to allow percolation of water. The east side yard walkway would be surfaced with flagstone steps over a sand base to also create a pervious surface and to protect the roots of nearby trees as recommended in the City Arborist Report. The proposed construction would occur on flat, already developed surfaces and would require approximately 18 cubic yards of cut and 23 cubic yards of fill.

### **PROJECT DATA**

Criteria	Existing	Proposed	Required or Max. Allowed
<b>Lot Size</b>	6,000 sq. ft.	No Change	No Change
<b>Slope</b>	25%	No Change	No Change
<b>FAR</b>	.216	.316	.437 (Corresponds to 2,622 sq. ft. max)
<b>Square Footage</b>	1,295 sq. ft.	1,894 sq. ft.	2,622 sq. ft.
<b>Parking</b>	None	Two uncovered 17' x 18'	None *
<b>Setbacks:</b>			
<b>Front (south)</b>	31'	26' 6"	25' **
<b>Right Side (east)</b>	21'	12' 7"	6'
<b>Left Side (west)</b>	5'	5'	5' ***
<b>Rear (north)</b>	50' 8"	50' 8"	15'
<b>Driveway length</b>	None	None	None *
<b>Height</b>	22' 10"	22' 10"	28'

\* Per the provisions of BZO Section 8.1.4, no additional parking is required for the proposed addition.

\*\* Per the provisions of BZO Section 9.7.4(a), 7 houses were surveyed with setbacks ranging from 22' to 30' with an average of 25'. The project maintains a 25' front setback, meeting this requirement.

\*\*\* Per the provisions of BZO Section 9.6.3(a), the existing nonconforming setback can be continued.

## GENERAL PLAN CONFORMANCE

The proposed new single-family residence does not change the intended land use of the site. The residence is in conformance with the low-density residential general plan designation.

## ZONING CONFORMANCE

1. The site has no conforming parking spaces, and is regulated via the requirements of BZO Section 8.1.4 which requires additional parking spaces on site if any of the four thresholds (see below) are met:

### *Section 8.1.4 OFF-STREET PARKING*

*...there shall be provided and maintained not less than four vehicle spaces – two (2) automobile garage spaces and two (2) spaces which need not be covered – for each dwelling unit in any one or two family structure when any of the following occurs:*

- *600 or more square feet of gross floor area is added to the dwelling*
- *Any floor area modification that results in a dwelling becoming 3,000 square feet or larger*
- *Any floor area modification that results in an increase in the number of bedrooms from three or fewer to four or more*
- *More than one bedroom is being added to such dwelling unit*

The project does not activate any of the above “triggers” for provision of complying parking for the property.

Although no parking spaces are required for the proposed project, the applicant proposes to remove the nonconforming parking area that is situated partially within the public right-of-way, and to add two uncovered parking spaces, designed to meet the minimal conforming size standard, in an area of the front yard which does not encroach into the public right-of-way.

2. The existing west side yard setback of 5 feet is non-conforming (6 feet required), and the proposed addition would not change the setback nor increase the discrepancy. The following section of the BZO allows the continuance of a non-conforming setback:

*Section 9.6.3 ALTERATIONS AND ADDITIONS TO NONCONFORMING STRUCTURES*

*No nonconforming structure shall be moved, altered, enlarged or reconstructed so as to increase the discrepancy between existing conditions and the standards of coverage, front yard, side yards, rear yard, height of structures or distances between structures prescribed in the regulations for the district in which the structure is located.*

- (a) For the purpose of additions in an R-1A, B or C District, continuation of a setback that was legal at the time of the adoption of Ordinance No. 360 shall not be considered an increase in the discrepancy.*

The proposed additions and site improvements meet all other setbacks, height, FAR, and permitted use regulations of the R-1B zoning district.

## **NEIGHBORHOOD OUTREACH**

The applicant performed neighborhood outreach as detailed in the Neighborhood Outreach Strategy and letter attached to this report. The applicant reports that all property owners within 300' of the property (69) were mailed (June 15, 2006) a letter informing them of the proposed project and inviting them to an open house on June 26, 2006 where four sets of neighbors attended. The applicant reports that the neighbor at 2019 Mezes Avenue expressed concerns regarding possible water drainage impact on his property, and an explanation of the use of pavers over sand and planting of native and drought-tolerant plants which require little watering was discussed. The other neighbors were supportive of the project. The applicant also reports that prior to the outreach meeting the owners met with an additional four neighbors of contiguous properties, and all were supportive of the project. Staff has not received any public comments regarding this project as of the writing of this report. The applicant appears to have achieved the outreach strategy tasks.

## **ENVIRONMENTAL CLEARANCE (CEQA)**

The proposed addition to the single-family home is categorically exempt from the provisions of the California Environmental Quality Act by provision of Section 15301, Class 1 (e) (2)(a & b):

*“Additions to existing structures provided that the addition will not result in an increase of more than 10,000 square feet if:*

- (A) The project is in an area where all public services and facilities are available to allow for maximum development permissible in the General Plan and*
- (B) The area in which the project is located is not environmentally sensitive*

The proposed residence meets the above requirements for CEQA exemption.

## **SINGLE FAMILY DESIGN REVIEW EVALUATION**

The Belmont Zoning Ordinance establishes the following findings for the review of single-family residential projects (Section 13A.5(A-H)). Each finding is listed below with staff's analysis of whether this project meets each finding in the affirmative.

- A. *The buildings and structures shown on the site plan are located to be consistent with the character of existing development on the site and in the neighborhood, as defined; minimize disruptions of existing public views; protect the profile of prominent ridgelines.*

The proposed dwelling expansion and second story addition would be situated on the portion of the site that is level and already developed and would be consistent in character with the existing character of the site and other two-story homes in the neighborhood. The proposed multi-story house would have a stucco/wood siding exterior with stone and wood accents that would complement the natural character of the lot and would be consistent in style and size with the established residential character of the immediate neighborhood. The existing residence is situated below street grade on a non-ridge, partially level lot with a downsloping rear yard, and the proposed addition would not disrupt any public views as assessed from Hillman Avenue. Staff believes this finding can be made in the affirmative.

- B. *The overall site and building plans achieve an acceptable balance among the following factors:*
- (1) *building bulk*
  - (2) *grading, including*
    - (a) *disturbed surface area and*
    - (b) *total cubic yards, cut and fill*
  - (3) *hardscape, and*
  - (4) *tree removal*

### **Building bulk**

The proposed ground floor expansion would occur in the front and left side yards that would maintain large setbacks which are greater than required. The proposed second story is stepped back from the front elevation and is not excessive in height. The exterior finishes of wood siding, stucco and stone veneer chimney treatment as well as the use of natural colors are effective in adding texture and diminishing the overall bulk and massing of the dwelling. The proposed landscaping for the front and side yards affected by the proposed expansion and the retention of the existing mature trees provide adequate screening from the street and adjacent properties.

### **Grading/Hardscape**

The proposed construction would occur on flat, already developed surfaces and would require approximately 18 cubic yards of cut and 23 cubic yards of fill.



The BZO does not make a clear distinction between impermeable and permeable hardscape surface materials. However, the project results in approximately 300 square feet of existing impermeable hardscape (concrete pathways, porch, stairs) to be removed, and approximately 411 square feet of new impermeable hardscape (building footprint, front porch, stairs) would be constructed on the site, resulting in a minimal hardscape increase of approximately 2%. Additionally, approximately 377 square feet of existing permeable hardscape (gravel parking pad, wood deck and stairs) would be removed, and approximately 842 square feet of new permeable hardscape (pavers parking pad and walkways, wood deck and stairs) would be constructed on the site, resulting in a permeable hardscape increase of approximately 8%. Overall, the hardscape (impermeable and permeable) would increase from approximately 39% site coverage to 49% site coverage. It should be noted that most of the increase in hardscape is in conjunction with permeable surface materials (pavers for the new parking pad and a wood deck). Due to the fact that the on-site addition of minimal parking (designed to code standards) results in a site upgrade, staff does not believe the hardscape coverage is excessive in for the project site.

The proposed expansion includes a new second story which is effective in conserving open area. The rearmost portion of the lot would remain in its natural state, and the remainder of the site would be improved with a majority of native and drought-tolerate landscape plantings that require minimal watering which decreases the potential for surface water runoff. No trees would be removed for the proposed construction.

All four factors (building bulk, grading, hardscape and tree removal) appear to be appropriately balanced to achieve a complementary balance for the project. Staff believes this finding can be made in the affirmative.

*C. All accessways shown on the site plan and on the topographic map are arranged to provide safe vehicular and pedestrian access to all buildings and structures.*

The pedestrian walkways are level and sufficiently surfaced to provide safe access to the house. The addition of two formal parking spaces designed to meet code standards improves the safety of vehicular access on the site. Staff believes this finding can be made in the affirmative.

*D. All proposed grading and site preparation have been adequately reviewed to protect against site stability and ground movement hazards, erosion and flooding potential, and habitat and stream degradation.*

The proposed construction would occur on a portion of the lot that is level and already developed, and only minimal grading would be required for the proposed construction. There are no known geological or flooding hazards in the immediate neighborhood of the subject property, and there are no streams on or near the property. Staff believes this finding can be made in the affirmative.

*E. All accessory and support features, including driveway and parking surfaces, underfloor areas, retaining walls, utility services and other accessory structures are integrated into the overall project design.*

The new parking pad surfaced with pavers over sand is an improvement to the parking situation that currently exists on the site (no formal parking). The new parking pad has sufficient width and

length (17' x 18' which is the minimal code standard) to park two cars. The use of pavers over sand creates a permeable surface that retains surface water on site. Staff believes other site improvement features are well integrated into the overall project design and this finding can be made in the affirmative.

*F. The landscape plan incorporates:*

- (1) Native plants appropriate to the site's environmental setting and microclimate, and*
- (2) Appropriate landscape screening of accessory and support structures, and*
- (3) Replacement trees in sufficient quantity to comply with the standards of Section 25 (Trees) of the Belmont City Code*

The proposed landscape plan retains protected size privet #1, protected coast live oaks (#2), (#4) and (#6), protected buckeye tree (#5) and a non-protected size coast live oak (#3). Tree (#2) would be pruned by crown raising as recommended in the Arborist Report in order to provide sufficient clearance for the proposed new wood deck in the right (east) side yard. The existing greenscape plantings lining the existing concrete walkway in the west side yard, the existing front lawn area, and the existing rear yard beyond the retaining walls with natural vegetation coverage would all remain.

New landscape plantings, most of which are native and drought-tolerant, include:

- 6 ten gallon size shrubs
- 16 five gallon size shrubs
- 41 one gallon size bulbs and perennials
- 4 five gallon size vines
- 30 four inch size grasses

Staff has included all tree protection measures recommended in the City Arborist Report as conditions of project approval. Staff believes this finding can be made in the affirmative.

*G. Adequate measures have been developed for construction-related impacts, such as haul routes, material storage, erosion control, tree protection, waste recycling and disposal, and other potential hazards.*

Review of staging areas, recycling and disposal procedures and adequacy of erosion control measures would be reviewed by the Building Division as part of the structural plan check. All construction would be completed in compliance with the Uniform Building Code and NPDES standards as administered by the City of Belmont. Staff believes this finding can be made in the affirmative.

*H. Structural encroachments into the public right-of-way associated with the project comply with the standards of Section 22, Article 1 (Encroachments) of the Belmont City Code.*

A temporary encroachment permit as administered and reviewed by the Public Works Department will be required for work within the public right of way. The Public Works Department has not identified any issues with the proposed improvements within the right-of-way. Staff believes this finding can be made in the affirmative.

## **CONCLUSION AND RECOMMENDATION**

Based on the analysis and required findings, staff recommends approval of the Single-Family Design Review application with the Conditions of Approval in Attachment III.

## **ACTION ALTERNATIVES**

1. Continue the application for redesign.
2. Deny the Single Family Design Review. The Commission will identify specific facts to support a denial, and a resolution would be returned to the Commission for final action.

## **ATTACHMENTS**

- I. 500 foot radius map of project site (incorporated as Page 2 of report)
- II. Resolution approving the Single Family Design Review
- III. Conditions of Approval
- IV. Neighborhood Outreach Materials
- V. Arborist Report dated July 28, 2006
- VI. Applicant's plans, materials board, and photos (Commission only)

Respectfully submitted,

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Tricia Schimpp  
Contract Planner

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Carlos de Melo  
Community Development Director

Cc: Applicant/Owners

PLEASE NOTE: Attachments IV through VI are not included as part of this document. Please contact the Community Development Department at (650) 595-7417 for more information on viewing these documents.

RESOLUTION NO. 2006-\_\_\_\_

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BELMONT  
APPROVING SINGLE FAMILY DESIGN REVIEW  
AT 1920 HILLMAN AVENUE (APPL. NO. 2006-0046)

WHEREAS, Allison and David Orenstein, property owners, requests Single Family Design Review approval to construct a 599 square foot addition to an existing 1,295 square foot single family residence, resulting in a total of 1,894 square feet that is below the zoning district permitted 2,622 square feet for this site.; and,

WHEREAS, public hearings was duly noticed, held on September 5, 2006, and closed; and,

WHEREAS, the Planning Commission of the City of Belmont finds the project to be categorically exempt pursuant to the California Environmental Quality Act, Section 15301, and,

WHEREAS, the Planning Commission hereby adopts the staff report dated September 5, 2006 and the facts contained therein as its own findings of facts; and,

WHEREAS, the Planning Commission finds the required Single Family Design Review Findings, Section 13A.5 (A-H), are made in the affirmative as follows:

- A. *The buildings and structures shown on the site plan are located to be consistent with the character of existing development on the site and in the neighborhood, as defined; minimize disruptions of existing public views; protect the profile of prominent ridgelines.*

The proposed dwelling expansion and second story addition would be situated on the portion of the site that is level and already developed and would be consistent in character with the existing character of the site and other two-story homes in the neighborhood. The proposed multi-story house would have a stucco/wood siding exterior with stone and wood accents that would complement the natural character of the lot and would be consistent in style and size with the established residential character of the immediate neighborhood. The existing residence is situated below street grade on a non-ridge, partially level lot with a downsloping rear yard, and the proposed addition would not disrupt any public views as assessed from Hillman Avenue. This finding is affirmed.

- B. *The overall site and building plans achieve an acceptable balance among the following factors:*

- (1) *building bulk*
- (2) *grading, including*
  - (a) *disturbed surface area and*
  - (b) *total cubic yards, cut and fill*
- (3) *hardscape, and*
- (4) *tree removal*

Building bulk

The proposed ground floor expansion would occur in the front and left side yards that would maintain large setbacks which are greater than required. The proposed second story is stepped back from the front elevation and is not excessive in height. The exterior finishes of wood siding, stucco and stone veneer chimney treatment as well as the use of natural colors are effective in adding texture and diminishing the overall bulk and massing of the dwelling. The proposed

landscaping for the front and side yards affected by the proposed expansion and the retention of the existing mature trees provide adequate screening from the street and adjacent properties.

### Grading/Hardscape

The proposed construction would occur on flat, already developed surfaces and would require approximately 18 cubic yards of cut and 23 cubic yards of fill.

The BZO does not make a clear distinction between impermeable and permeable hardscape surface materials. However, the project results in approximately 300 square feet of existing impermeable hardscape (concrete pathways, porch, stairs) to be removed, and approximately 411 square feet of new impermeable hardscape (building footprint, front porch, stairs) would be constructed on the site, resulting in a minimal hardscape increase of approximately 2%. Additionally, approximately 377 square feet of existing permeable hardscape (gravel parking pad, wood deck and stairs) would be removed, and approximately 842 square feet of new permeable hardscape (pavers parking pad and walkways, wood deck and stairs) would be constructed on the site, resulting in a permeable hardscape increase of approximately 8%. Overall, the hardscape (impermeable and permeable) would increase from approximately 39% site coverage to 49% site coverage. It should be noted that most of the increase in hardscape is in conjunction with permeable surface materials (pavers for the new parking pad and a wood deck). Due to the fact that the on-site addition of minimal parking (designed to code standards) results in a site upgrade, staff does not believe the hardscape coverage is excessive in for the project site.

The proposed expansion includes a new second story which is effective in conserving open area. The rearmost portion of the lot would remain in its natural state, and the remainder of the site would be improved with a majority of native and drought-tolerate landscape plantings that require minimal watering which decreases the potential for surface water runoff. No trees would be removed for the proposed construction.

All four factors (building bulk, grading, hardscape and tree removal) appear to be appropriately balanced to achieve a complementary balance for the project. This finding is affirmed.

*C. All accessways shown on the site plan and on the topographic map are arranged to provide safe vehicular and pedestrian access to all buildings and structure.*

The pedestrian walkways are level and sufficiently surfaced to provide safe access to the house. The addition of two formal parking spaces designed to meet code standards improves the safety of vehicular access on the site. This finding is affirmed.

*D. All proposed grading and site preparation have been adequately reviewed to protect against site stability and ground movement hazards, erosion and flooding potential, and habitat and stream degradation.*

The proposed construction would occur on a portion of the lot that is level and already developed, and only minimal grading would be required for the proposed construction. There are

no known geological or flooding hazards in the immediate neighborhood of the subject property, and there are no streams on or near the property. This finding is affirmed.

*E. All accessory and support features, including driveway and parking surfaces, underfloor areas, retaining walls, utility services and other accessory structures are integrated into the overall project design.*

The new parking pad surfaced with pavers over sand is an improvement to the parking situation that currently exists on the site (no formal parking). The new parking pad has sufficient width and length (17' x 18' which is the minimal code standard) to park two cars. The use of pavers over sand creates a permeable surface that retains surface water on site. Other site improvement features are well integrated into the overall project design. This finding is affirmed.

*F. The landscape plan incorporates:*

- (1) Native plants appropriate to the site's environmental setting and microclimate, and*
- (2) Appropriate landscape screening of accessory and support structures, and*
- (3) Replacement trees in sufficient quantity to comply with the standards of Section 25 (Trees) of the Belmont City Code*

The proposed landscape plan retains protected size privet #1, protected coast live oaks #2, #4 and #6, protected buckeye tree #5 and a non-protected size coast live oak #3. Tree #2 would be pruned by crown raising as recommended in the Arborist Report in order to provide sufficient clearance for the proposed new wood deck in the right (east) side yard. The existing greenscape plantings lining the existing concrete walkway in the west side yard, the existing front lawn area, and the existing rear yard beyond the retaining walls with natural vegetation coverage would all remain.

New landscape plantings, most of which are native and drought-tolerant, include:

- 6 ten gallon size shrubs
- 16 five gallon size shrubs
- 41 one gallon size bulbs and perennials
- 4 five gallon size vines
- 30 four inch size grasses

All tree protection measures recommended in the City Arborist Report as conditions of project approval. This finding is affirmed.

*G. Adequate measures have been developed for construction-related impacts, such as haul routes, material storage, erosion control, tree protection, waste recycling and disposal, and other potential hazards.*

Review of staging areas, recycling and disposal procedures and adequacy of erosion control measures would be reviewed by the Building Division as part of the structural plan check. All construction would be completed in compliance with the Uniform Building Code and NPDES standards as administered by the City of Belmont. This finding is affirmed.

*H. Structural encroachments into the public right-of-way associated with the project comply with the standards of Section 22, Article 1 (Encroachments) of the Belmont City Code.*

A temporary encroachment permit as administered and reviewed by the Public Works Department will be required for work within the public right of way. The Public Works Department has not identified any issues with the proposed improvements within the right-of-way. This finding is affirmed.

WHEREAS, the Planning Commission did hear and use their independent judgment and considered all said reports, recommendations and testimony herein above set forth.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission approves the Single Family Design Review approval to construct a 599 square foot addition to the existing 1,295 square foot single family residence at 1920 Hillman Avenue, subject to the attached conditions in Exhibit "A".

\* \* \* \* \*

Passed and adopted at a regular meeting of the Planning Commission of the City of Belmont held on September 5, 2006 by the following vote:

AYES,  
COMMISSIONERS: \_\_\_\_\_  
NOES,  
COMMISSIONERS: \_\_\_\_\_  
ABSENT,  
COMMISSIONERS: \_\_\_\_\_  
ABSTAIN,  
COMMISSIONERS: \_\_\_\_\_  
RECUSED,  
COMMISSIONERS: \_\_\_\_\_

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Carlos de Melo  
Planning Commission Secretary

## EXHIBIT "A"

### CONDITIONS OF PROJECT APPROVAL SINGLE FAMILY DESIGN REVIEW 1920 HILLMAN AVENUE (APPL. NO.2006-0046)

#### I. COMPLY WITH THE FOLLOWING CONDITIONS OF THE COMMUNITY DEVELOPMENT DEPARTMENT:

- A. The following conditions shall be shown on plans submitted for a building permit and/or site development permit or otherwise met prior to issuance of the first building permit (i.e., foundation permit) and shall be completed and/or installed prior to occupancy and remain in place at all times that the use occupies the premises except as otherwise specified in the conditions:

#### Planning Division

1. Construction shall conform to the plans on file in the Planning Division for Appl. No. 2006-0046 and date-stamped August 8, 2006. The Director of Community Development may approve minor modifications to the plans.
2. All construction and related activities which require a City building permit shall be allowed only during the hours of 8:00 a.m. to 5:00 p.m. Monday through Friday, and 10:00 a.m. to 5:00 p.m. on Saturdays. No construction activity or related activities shall be allowed outside of the aforementioned hours or on Sundays and the following holidays: New Year's Day, President's Day, Memorial Day, 4<sup>th</sup> of July, Labor Day, Thanksgiving Day and Christmas Day. All gasoline powered construction equipment shall be equipped with an operating muffler or baffling system as originally provided by the manufacturer, and no modification to these systems is permitted.

Prior to issuance of building permits, the property owner shall file with the Director of Community Development, on forms provided by the City, an acknowledgment that he/she has read, understands and agrees to these conditions of approval.

4. In accordance with the Belmont Zoning Ordinance, the permit(s) granted by this approval shall expire one (1) year from the date of approval, with said approval date indicated on the accompanying Planning Commission resolution. Any request for extension of the expiration date shall be made in accordance with the applicable provisions of the Belmont Zoning Ordinance.
5. In the event that this approval is challenged by a third party, the property owner and all assignees will be responsible for defending against this challenge, and agrees to accept responsibility for defense at the request of the City. The property owner and all assignees agree to defend, indemnify and hold harmless the City of Belmont and all officials, staff, consultants and agents from any costs, claims or liabilities arising from the approval, including without limitation, any award of attorneys fees that might result from the third party challenge.
6. The following recommendations must be included as "tree protection notes" in the final stamped building set of plans: Prior to issuing a permit for grubbing, demolition, tree removal, grading, or construction, the following must occur:



- a. **WOOD CHIPS:** Acquire a free load of wood chips (not bark chips or leaf chips) from a tree care company and lay a 4-5 inch thick layer over the area from the trunks of trees #(1), 2, 3, 5, and #6 out to the tree protection zone (TPZ) fencelines. Pull chips out approximately 12-24 inches away from the trunks so that moisture will not build up on the trunks.
- b. **IRRIGATION:** Install rubber soaker hoses over or under the TPZ wood chips, snaking around the inside the TPZ chain link fencing around trees #2, 3, 4, 5, and #6 or as directed by the city arborist. Affix the hoses to a garden hose and active hose bib on the upper portion of the site so that the soaker hose is extended downhill in line with hydraulic head. Turn on the system at full pressure for 6-8 hours, once every two to three weeks, beginning at the excavation/grading period until the first significant rains of winter. This irrigation shall be monitored by the contract city arborist and the schedule (duration, frequency, etc.) adjusted according to soil moisture readings obtained by using a Lincoln Soil Moisture Probe during regular monthly construction monitoring days.

Contractor shall verify use of irrigation water by documenting in a written journal the time and date of each irrigation event, and the duration that water was applied.

If an active hose bib is not available on the upper site, the city arborist will discuss alternatives with site contractors.

c. **TREE PROTECTION FENCING:**

Chain link fencing must be erected as per the arborist's direction at various distances from trunk edges of trees #1, 2, 3, 4, 5, and #6 as per the two tree maps in the Arborist report. The areas between the tree trunk and these fence perimeters shall be known as the critical root zones or tree protection zones ("CRZ" or "TPZ").

Fencing material used for all protective fences as per above must be steel chain-link, at least six-feet in height, mounted on two-inch diameter galvanized iron posts 8-feet in length, driven a minimum of 24-inches into the ground. Posts must be mounted no farther than six-feet apart. This fence must be erected prior to any heavy machinery traffic or construction material arrival on site.

Compliance inspections will occur (1) at the time of fence erection and buffer and irrigation installation, (2) during construction, and (3) after construction is complete. All fencing must remain in place until all construction is completed and the fencing and other protection has been received a final signoff letter from the city arborist. Permit approval will not occur until after the first inspection has been performed and the protection measures approved by the city arborist.

The protective fencing must not be temporarily moved during construction, except at the very end of the project when city arborist shall allow movement of the fenceline to accommodate construction of the decks and paths. No materials, excavated soil,

liquids, or substances are to be placed or dumped, even temporarily, inside the TPZ/CRZ.

The TPZ fencing shall have one sign affixed at eye level for every 10-linear feet of fencing, minimum 8X11 size each, plastic laminated or otherwise waterproofed, stating:

<p style="text-align: center;">TREE PROTECTION FENCE DO NOT ALTER OR REMOVE CALL CITY ARBORIST 48-HRS ADVANCE (650) 697-0990</p>
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- d. **SILT FENCING:** Install TENAX or equivalent 36-inch high silt fencing with built in wooden stakes to the outsides and uphill sides of all TPZ fencing perimeters as per direction of the city arborist. Install as per package directions, digging in the entire lower edge of the silt fence so that it is secure. This product is available from home improvement stores for about \$30 per 100-linear foot roll.

Affix upper edge of the silt fencing to the chain link using UV-resistant zipties and/or wires approximately every 3-linear feet.

- e. **FERTILIZATION:** Retain a qualified tree care company to apply a slow release tree fertilizer with greater than 50% WIN via soil injection to the TPZ areas around trees #2, 3, 4, 5, and #6 at standard arboricultural rates as per the most recent version of ANSI-A300 fertilization standard and the ISA “Best Management Practices – Tree and Shrub Fertilization” booklet. The city arborist will request a receipt from the applicant to confirm performance of this item before commencement of the site plan demolition phase.
- f. **STAGING AND ACCESS ROUTES:** Contractors shall be prohibited from moving or removing the chain link TPZ fencing to stage in or access those portions of the site during all phases of the project, except for the final end phase during which decks and paths will be installed. Most of the north half of the property will be precluded from use for staging due to TPZ creation around the oaks and buckeye. Also, a portion of the rear yard concrete patio will be blocked off after creation of the chain link TPZ around oak #6.
- g. **REDESIGNS & DESIGN ISSUES:**
1. **IRRIGATION TRENCHING:** Eliminate all irrigation line trenching (if any proposed) within 15-linear feet of the trunk edges of all trees being retained on site.
  2. **IRRIGATION BUBBLERS:** Submit a general note or diagram to the City which guarantees use of over-grade trenchless irrigation systems that can be laid on the ground (ex. drip emitter lines, bubblers and poly tubing, etc.) within 15-feet of trees #2 through #6.

3. **PLANTER BOXES:** Verify that the existing wood planter boxes are to remain or are to be demolished via hand digging such that the original soil grade levels (i.e. original soil root zones of oaks #2, 3, and #4 prior to construction of the planter boxes) are maintained without being cut or altered.
4. **NEW PLANT INSTALLATION TIMING AND ESTABLISHMENT:** New landscape plants, being mainly Northern California native species, should be installed in the fall season so that the plants have time to establish roots during the winter growth period (i.e. when native plants are growing in the Bay Area), before the spring heat begins.
5. After an establishment period of approximately 24-months, the bubbler irrigation system around most of the plants under trees #2, 3, 4, 5 and #6 should be either removed or the timer adjusted such that irrigation volume and frequency is greatly reduced to reestablish the natural, dry summer soil moisture regime under the native coast live oaks and buckeye tree.
6. **DECK & PATH INSTALLATION PHASING:** TPZ chain link fencing shall be maintained at locations noted on the tree maps in this report until the very end of the project at which time pathway and deck installation shall occur. Do not move or remove TPZ fencing without the expressed authorization of the city arborist.
7. **DECK FOOTINGS:** Verify deck footing locations, dimensions, and spacing with the City Arborist. Footing locations shall maximize root retention by maintaining maximum linear footage from tree trunks. Dimensions of footings shall be the smallest possible as specified by the project architect/engineer. Footings shall be spaced as far as possible from each other to maximize oak root retention.
8. **GRADING & DRAINAGE:** Applicant's project team shall confirm with City Arborist whether or not there are grading and/or drainage items not noted or detailed on the submitted plan set sheets which are proposed to be performed at this site (ex. grading for new landscape areas, grading out of planter boxes, new area drain, French drain, or downspout drain line trenching within canopy driplines of any trees being retained, etc.).

h. **PRUNING:**

1. Pruning of site trees to remain shall be minimized. Pruning techniques may or may not include crown cleaning, lateral reduction, crown raising, and/or end-weight reduction pruning techniques as applicable. These are described in the most recent edition of ANSI-A300 "standards for tree care operations".

OAK #2:
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Oak #2 will require side pruning to clear the proposed addition. Arborist performing work on this site shall use only drop crotch pruning techniques to reduce the south canopy edge to clear the proposed addition.

Oak #2 will require crown raising pruning since the existing elevation of the canopy is 6-10 feet above grade. Proposed lower deck railing is +/-9.5-feet above existing grade, which does not account for human headroom. Canopy overhangs deck significantly, and will need to be crown raised in a manner that allows this overhang to remain (i.e. do not prune the canopy back all the way to the lower deck footprint.).

Trees #3, 4, 5, and #6 may or may not require pruning to clear airspace in the proposed deck, path, and landscape zones.

General Contractor shall verify with city arborist all construction clearance pruning requirements before any tree care company begins pruning of site trees.

2. All pruning shall be performed only by, or under direct supervision of an ISA-Certified Arborist. See vendor list below for suggested tree care providers.
3. Total of live wood and foliage removed shall not exceed 15% per tree in a given year, except in the case of oak #2 which may require a larger percentage of live wood removed to clear the airspace above the lower deck.
4. Note: the city arborist will require the owner to present a receipt for pruning work to verify that work was performed by, or under direct supervision of an ISA Certified Arborist.
- i. ARBORIST INSPECTION FEE: The applicant shall pay a tree inspection fee of \$1,300 at the Permit Center, payable to the City of Belmont prior to permit issuance and prior to the initial tree protection inspection meeting on site to cover inspections and signoff letters by the city arborist throughout the life of the project (\$1,000 arborist fee plus 30% administration fee).

Call the contract city arborist at (650) 697-0990 to schedule the initial tree protection confirmation inspection which MUST occur prior to any demolition, tree removal, grubbing, grading, excavation, or construction on site.

The City Arborist may need to meet with contractors prior to the initial fencing inspection to discuss tree fence routes, irrigation water supply, etc.

- j. TREE REMOVAL FEES: If significant above and/or below ground damage to site trees occurs as per visual evaluation by the City Arborist, then the applicant shall pay the following fees (or a portion of these fees to be determined) at the Permit Center where building staff will route all fees to the Parks Department's Tree Planting and Establishment Fund:

Privet #1 (damage from retaining wall removal and reconstruction)	<b>\$2,000</b>
Oak #2 if damaged from trenching, grading, excavation	\$2,000
Oak #3 if damaged from trenching, grading, excavation	\$1,000
Oak #4 if damaged from trenching, grading, excavation	\$2,000
Buckeye #5 if damaged from trenching, grading, or excavation	\$2,000
Oak #6 if damaged from trenching, grading, excavation	\$2,000

k. LANDSCAPE PLAN GENERAL NOTES:

- 1) Any new mitigation plantings and associated irrigation systems will be subject to inspection by the contract city arborist at or before the final project signoff inspection.
  - 2) PVC irrigation piping shall be installed at distances greater than 15-linear feet from the trunks of existing site trees.
  - 3) Do not install irrigation bubblers inside vertical PVC perforated tubes. Instead, place bubblers over the rootball of each newly installed tree. City Arborist will not sign off on the project if the “perforated tube w/ bubbler” system is used anywhere on site.
  - 4) All pop-up sprinkler head spray must be directed away from trees such that water never contacts the trunk of any new or existing tree.
  - 5) Over-grade drip emitter and/or poly tubing and bubblers shall be utilized for all permanent irrigation of proposed plantings within the existing driplines of site trees.
  - 6) Plantings shall be installed using the pit method and NOT the trenching method.
- l. UTILITY TRENCHING: All trenching for any reason such as underground installation of TV, phone, gas, electric, French drain, area drain, downspout drain, sewer, water, etc. lines shall be prohibited within the chain link fenced TPZs as determined by the city arborist, unless specifically authorized by him in writing.

m. ROOT SEVERING:

1. If woody roots measuring >1-inch in diameter are encountered during any site activity, the roots shall be immediately (same day) severed using an A/C sawzall, professional pruning saw, lopper, chain saw, or electrician’s cable cutter. Call the city arborist immediately at (650) 697-0990 to arrange a root inspection and digital photograph documentation.

2. Roots shall be cut at right angles to the root growth direction, cutting cleanly and carefully all the way back to the soil face without shattering the root tissue behind the soil face.
3. Roots shall be backfilled within 48-hours using parent soil, and thoroughly irrigated.
4. If backfilling is delayed past 48-hours, then contractors shall wrap exposed roots in three layers of soaking wet, muddy burlap.

#### Building Division

- A. The following conditions shall be shown on plans submitted for a building permit and/or site development permit or otherwise met prior to issuance of the first building permit (i.e., foundation permit) and shall be completed and/or installed prior to occupancy and remain in place at all times that the use occupies the premises except as otherwise specified in the conditions.
  1. Conformance with approved plans.
  2. Obtain all required permits.
  3. No flooring allowed in the crawl space.
  4. The height of the residence shall not exceed 28 feet.
  5. Provide tree protection.
  6. Require a detailed landscape and irrigation plan and landscape architect certification of installed landscaping.
  7. The construction activities shall comply with the City Noise Ordinance, and the applicant shall post hours of operation and phone numbers for noise complaints.
  8. Provide a list of construction and demolition recycling service providers.
  9. Require contractors and subcontractors to make good faith effort to contact construction and demolition recycling providers.
  10. Notify all contractors and subcontractors of Belmont expectations of maximizing diversion of solid waste.
  11. Investigate opportunities for salvaging material for reuse.
- II. COMPLY WITH THE FOLLOWING CONDITIONS OF THE PUBLIC WORKS DEPARTMENT:

- A. The following conditions shall be shown on plans submitted for a building permit and/or site development permit or otherwise met prior to issuance of the first building permit (i.e., foundation permit) and shall be completed and/or installed prior to occupancy and remain in place at all times that the use occupies the premises except as otherwise specified in the conditions.
  - 1. Streets, sidewalks and curbs in need of repair within and bordering the project shall be repaired and/or removed and replaced in accordance with the Department of Public Works approved standards. Photographs of preconstruction condition are advised.
  - 2. A residential driveway approach shall be installed in accordance with Department of Public Works approved standards.
  - 3. Roof leaders and site drainage shall be directed to the City stormwater drainage system. A dissipator box or other energy reduction method shall be used.
- B. The following conditions shall be met prior to the issuance of the first building permit (i.e., foundation permit) and/or site development permits except as otherwise specified in the conditions.
  - 1. The property owner/applicant shall apply for and obtain temporary encroachment permits from the Department of Public Works for work in the City public right-of-way, easements or property in which the City holds an interest, including driveway, sidewalk, sewer connections, sewer clean-outs, curb drains, storm drain connections, placement of a debris box.
  - 2. Verify location of utility meters, valves, back flow preventers, and hydrants with appropriate utility company. Show relationship of each to site improvements, such as retaining walls.
  - 3. The applicant shall submit an erosion and sedimentation control plan describing Best Management Practices (BMPs) to be used to prevent soil, dirt, and debris from entering the storm drain system. The plan shall include the following items:
    - a. A site plan showing the property lines, existing and proposed topography, and slopes; areas to be disturbed, locations of cut/fill and soil storage/disposal area; areas with existing vegetation to be protected; existing and proposed drainage patterns and structures; watercourses or sensitive areas on-site or immediately downstream of project; and designated construction access routes, staging areas and washout areas.
    - b. Erosion and sediment controls to be used during construction, selected as appropriate from the California Regional Water Quality Control Board, San Francisco Bay Region Erosion and Sedimentation Control Field Manual (available from: Friends of the San Francisco Estuary, P.O. Box 791, Oakland, CA 94604-0791).
    - c. Methods and procedures to stabilize denuded areas and install and maintain temporary erosion and sediment control continuously until permanent erosion controls have been established.

- d. Provision for preventing erosion and trapping sediment on-site, such as sediment basins or traps, earthen dikes or berms, fiber rolls, silt fence, check dams, storm drain inlet protection, soil blankets or mats, covers for soil stock piles and/or other measures.
  - e. Provisions for installing vegetative cover in disturbed areas, including areas to be seeded, planted, and/or mulched, and types of vegetation proposed.
  - f. Provision for diverting on-site runoff around exposed areas and diverting off-site runoff around the project site (e.g., swales and dikes).
  - g. Notes, specifications, and/or attachments describing the construction, operation and maintenance of erosion and sediment control measures, including inspection frequency; methods and schedule for grading, excavation, filling clearing of vegetation and storage and disposal of excavated or cleared material; types of vegetative cover and mulch, including methods and schedules for planting and fertilization; and provisions for temporary and permanent irrigation.
- C. The following conditions shall be met prior to occupancy except as otherwise specified in the conditions.
- The property owner/applicant shall apply for and obtain an administrative permanent encroachment agreement from the Department of Public Works, for placement of non-standard materials (i.e. brick pavers) within the public right-of-way.
- 2. Failure to comply with any permit condition may result in a “Stop Work” order or other penalty.
  - 3. Grading shall be performed in accordance with the City Grading Ordinance, Chapter 9 of the City Code. Soil or other construction materials shall not be stockpiled in the public right-of-way unless an encroachment permit is obtained from the Department of Public Works. Grading shall neither be initiated nor continued between November 15 and April 15. Grading shall be done between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday unless otherwise specifically authorized by the Director of Public Works. The Stormwater Pollution Prevention Program Best Management Practices (BMPs) for construction shall be implemented to protect water quality.
  - 4. The owner/applicant shall ensure that applicable Best Management Practices (BMPs) from the San Mateo Stormwater Pollution Prevention Program (STOPP) are followed to prevent discharge of soil or any construction material into the gutter, stormdrain system or creek.
  - 5. The owner/applicant shall ensure that all construction personnel follow standard BMPs for stormwater quality protection during construction of project. These include, but are not limited to, the following:
    - a. Store, handle and dispose of construction materials and wastes properly, so as to prevent their contact with stormwater.
    - b. Control and prevent the discharge of all potential pollutants, including solid wastes, paints, concrete, petroleum products, chemicals, washwater or sediment, and non-stormwater discharges to storm drains and watercourses.



- c. Use sediment controls, filtration, or settling to remove sediment from dewatering effluent.
- d. Do not clean, fuel, or maintain vehicles on-site, except in a designated area in which runoff is contained and treated.
- e. Delineate clearing limits, easements, setbacks, sensitive or critical areas, buffer zones, trees, and drainage courses with field markers or fencing.
- f. Protect adjacent properties and undisturbed areas from construction impacts using vegetative buffer strips, sediment barriers or filters, dikes, mulching or other measures as appropriate.
- g. Perform clearing and earth moving activities only during dry weather (April 15 through November 14).
- h. Limit and time applications of pesticides and fertilizers to prevent polluted runoff.
- i. Limit construction access routes and stabilize designated access points.
- j. Do not track dirt or other materials off-site; clean off-site paved areas and sidewalks using dry sweeping methods.

If construction is not complete by the start of the wet season (November 15 through April 15), prior to November 15 the developer shall implement a winterization program to minimize the potential for erosion and sedimentation. As appropriate to the site and status of construction, winterization requirements shall include inspecting/maintaining/cleaning all soil erosion and sedimentation controls prior to, during, and immediately after each storm event; stabilizing disturbed soils through temporary or permanent seeding, mulching, matting, tarping or other physical means; rocking unpaved vehicle access to limit dispersion of mud onto public right-of-way; covering/tarping stored construction materials, fuels, and other chemicals. Plans to include proposed measures to prevent erosion and polluted runoff from all site conditions. As site conditions warrant, the Department of Public Works may direct the developer to implement additional winterization requirements.

No storage shall be allowed on City right-of-way. Applicant shall utilize front, side, or backyard for storage and staging. Haul route is limited to the use of 10 wheelers.

III. COMPLY WITH THE FOLLOWING CONDITIONS OF THE SOUTH COUNTY FIRE DEPARTMENT:

- 1. Address numbers shall be illuminated and visible on all new buildings. Rear addressing is/may also be required. Size of lettering and illumination shall meet South County Fire Standards.

IV. COMPLY WITH THE FOLLOWING CONDITIONS OF THE POLICE DEPARTMENT:

- 1. All activities shall be subject to the requirements of the Belmont Noise Ordinance.
- 2. No debris boxes or building materials shall be stored on the street.
- 3. Flag persons shall be positioned at both ends of blocked traffic lanes.

4. 24-hour written notice to the Police Department is required before any lane closure.

Certification of Approved Final Conditions:

\_\_\_\_\_  
Carlos de Melo, Director of Community Development

\_\_\_\_\_  
Date